

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EMZILE LEE WILBURN,

Plaintiff,

vs.

CITY OF ST. LOUIS, et al.,

Defendants.

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Case No. 4:08-CV-854 AGF

ORDER OF DISMISSAL

This matter is before the Court upon its own motion. On June 23, 2008, this Court denied plaintiff leave to proceed without payment of the filing fee pursuant to 28 U.S.C. § 1915(g) and ordered him to pay the \$350 filing fee within thirty days [Doc. #4]. The Court advised plaintiff that if he failed to comply, the Court would dismiss the instant action. To date, plaintiff has failed to pay the \$350 filing fee, and his time for doing so has expired.

Therefore,

IT IS HEREBY ORDERED that this case is **DISMISSED**, without prejudice, for failure to pay the \$350 filing fee in accordance with this Court's Order of June 23, 2008 [Doc. #4].

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

Dated this 31st day of July, 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE